

**DECISION
GRAFTON PLANNING BOARD**

SPECIAL PERMIT (SP 2020-6) and SITE PLAN APPROVAL

**Duplex
80 Snow Road, Lot #2, Grafton, MA 01519**

One Six Three, LLC (Applicant/Owner)

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of One Six Three, LLC, 154 Newton Street, Weston, MA 02493 (hereinafter the APPLICANT), represented by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, for a Duplex on property located at 80 Snow Road, Lot #2, Grafton, MA, (hereinafter the SITE) Assessors Map 28, Lot 66, owned by One Six Three, LLC, 154 Newton Street, Weston, MA 02493 (hereinafter the OWNER) by deed recorded in the Worcester District Registry of Deeds (WDRD) in Book 60413, Page 233. Said property is located in a Residential (R-20) zone.

The Application was filed with the Planning Board March 26, 2020 and with the Town Clerk on March 27, 2020. Notice of the public hearing and the subject matter thereof was published in the Grafton News on April 9 and 16, 2020, and posted with the Town Clerk's Office on April 13, 2020. Abutters were notified by First Class Mail. The public hearing on the Application was opened on April 27, 2020 and continued, at the request of the applicant with concurrence of the Board to July 13, 2020, July 27, 2020, August 10, 2020, August 24, 2020, September 14, 2020 and September 28, 2020. During the public hearings, all those wishing to speak to the petition were heard. Following public input, the hearing was closed on September 28, 2020.

The following Board members were present throughout the public hearing: Chairman Robert Hassinger, Vice Chairman David Robbins, Clerk Justin Wood, and Members Linda Hassinger and Prabhu Venkataraman. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk or in the Office of the Planning Board.

I. SUBMITTALS

The following items were submitted to the Board for its consideration of this application:

EXHIBIT 1. Application submittal materials, received March 26, 2020, consisting of the following:

- a. Application Packet, stamped by the Town Clerk on June 4, 2020; 1 page.
- b. Certificate of Good Standing, signed by Beth Schrottman, dated April 24, 2020 and date stamped received by the Planning Board on May 18, 2020, 1 page.
- c. Abutters Listing for 80 Snow Road, Map 28, Lot 66, dated May 15, 2020, signed by Mary Oliver, Assessor, and date stamped received by the Planning Board on May 18, 2020, 1 page.
- d. Project Narrative, dated May 15, 2020, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, 3 pages.
- e. Waiver Request Form, 3 pages.

- f. Letter from James Tetreault, P.E., to the Grafton Planning Board, dated May 15, 2020, 1 page.
- EXHIBIT 2.** Public Hearing Legal Notice, stamped by the Town Clerk's Office on April 13, 2020; 1 page.
- EXHIBIT 3.** Plans: "Site Plan of Land", prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated March 9, 2020, in seven (7) sheets.
- EXHIBIT 4.** Plans: Pre Development Drainage Plans titled, "Site Plan of Land", prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated March 9, 2020, in one (1) sheet.
- EXHIBIT 5.** Plans: Post Development Drainage Plans titled, "Site Plan of Land", prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated March 9, 2020, in one (1) sheet.
- EXHIBIT 6.** Plans: "The Wilshire" prepared by Scott Rogers, Shane Structures, P.O. Box 81, Hopkinton, MA, 01748, dated February, 2010, in one (1) sheet.
- EXHIBIT 7.** Report: "Drainage Report; 80 Snow Road, Grafton, MA" dated March 9, 2020, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, forty-one (41) pages.
- EXHIBIT 8.** Email from Katrina Koshivos, Zoning Board of Appeals, to the Planning Board, regarding "80 Snow Road Lot #2 - One Six Three, LLC - Two Family Dwelling", dated April 21, 2020, received by the Board on April 21, 2020.
- EXHIBIT 9.** Email from Normand Crepeau, Zoning Board of Appeals, to the Planning Board, regarding "80 Snow Road Lot #2 - One Six Three, LLC - Two Family Dwelling", dated April 21, 2020, received by the Board on April 21, 2020.
- EXHIBIT 10.** Memo from Paul Cournoyer, DPW Director, to the Planning Board, regarding "80 Snow Road", dated April 22, 2020.
- EXHIBIT 11.** Email from Nancy Connors, Board of Health, to the Planning Board, regarding "SP 2020 – 6/SPA", dated April 21, 2020, received by the Board on April 21, 2020.
- EXHIBIT 12.** Letter from Christopher McGoldrick, Town Planner, to the Planning Board, regarding "80 Snow Road (Lot #2)", dated April 24, 2020.
- EXHIBIT 13.** Email from Andrew Burton, 6 Greany Drive, to the Planning Department, dated April 27, 2020, in two (2) pages.
- EXHIBIT 14.** Email from Michael Derry, 7 Greany Drive, to the Planning Department, dated April 27, 2020, in one (1) page.
- EXHIBIT 15.** Email from Anthony Sikora, 3 Greany Drive, to the Planning Department, dated April 28, 2020, in one (1) page.
- EXHIBIT 16.** Letter from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated April 28, 2020, in one (1) page.

- EXHIBIT 17.** Email from James Tetreault, P.E., to the Grafton Planning Board, dated April 28, 2020, in one (1) page.
- EXHIBIT 18.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated May 5, 2020, in one (1) page.
- EXHIBIT 19.** Email from Christopher McGoldrick, Town Planner, to Gregory Pueschel, dated May 5, 2020, in two (2) pages.
- EXHIBIT 20.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated May 6, 2020, in two (2) pages.
- EXHIBIT 21.** Email from Thomas DiGiuseppe and Martha Walters, 2 Greany Drive, to the Planning Department, dated May 6, 2020, in one (1) page.
- EXHIBIT 22.** Email from Christopher McGoldrick, Town Planner, to Gregory Pueschel, dated May 12, 2020, in two (2) pages.
- EXHIBIT 23.** Email from Tim Grady, 3 Tracy Ann Drive, to the Planning Department, dated May 14, 2020, in two (2) pages.
- EXHIBIT 24.** Email from Richard Sullivan and Lisa Dayne, 5 Greany Drive, to the Planning Department, dated May 15, 2020, in two (2) pages.
- EXHIBIT 25.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated May 18, 2020, in one (1) page.
- EXHIBIT 26.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated May 20, 2020, in two (2) pages.
- EXHIBIT 27.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated June 5, 2020, in two (2) pages.
- EXHIBIT 28.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated June 8, 2020, in six (6) pages.
- EXHIBIT 29.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated June 8, 2020, in one (1) page.
- EXHIBIT 30.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated June 10, 2020, in four (4) pages.
- EXHIBIT 31.** Peer Review: “80 Snow Road, Lot 2 and Lot 3”, dated June 19, 2020, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, in five (5) pages.
- EXHIBIT 32.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated June 22, 2020, in one (1) page.
- EXHIBIT 33.** Letter from Christopher McGoldrick, Town Planner, to Grafton Upton Railroad Company, 42 Westborough Road, North Grafton, MA 01536, via email and U.S. mail, dated June 23, 2020, three (3) pages.
- EXHIBIT 34.** Letter from James Tetreault, P.E., to the Grafton Conservation Commission, dated July 15, 2020, five (5) pages.

- EXHIBIT 35.** Plans: “Site Plan of Land”, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated March 9, 2020, revised April 8, 2020, April 22, 2020, May 13, 2020, and July 7, 2020, in eight (8) sheets.
- EXHIBIT 36.** Report: “Drainage Report; 80 Snow Road, Grafton, MA” dated March 9, 2020, revised April 8, 2020 and July 7, 2020, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, forty (40) pages.
- EXHIBIT 37.** Plans: Pre and Post Development Drainage Plans titled, “Site Plan of Land”, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated March 9, 2020, revised April 8, 2020, and July 7, 2020, in two (2) sheets.
- EXHIBIT 38.** Email from Christopher McGoldrick, Town Planner, to James Tetreault, P.E., dated July 17, 2020, two (2) pages.
- EXHIBIT 39.** Sight Distance Exhibits including:
- a. Letter from James Tetreault, P.E., to the Grafton Planning Board, dated July 20, 2020, 1 page.
 - b. Plans: “Sight Distance Plan”, prepared by James Tetreault, P.E., Thompson-Liston Associates, Inc., 51 Main Street, PO Box 570, Boylston MA 01505, dated July 17, 2020, in one (1) sheet.
- EXHIBIT 40.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated July 24, 2020, in five (5) pages.
- EXHIBIT 41.** Peer Review: “80 Snow Road, Lot 2 and Lot 3”, dated July 27, 2020, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, in five (5) pages.
- EXHIBIT 42.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated July 31, 2020, in one (1) page.
- EXHIBIT 43.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated July 31, 2020, in two (2) pages.
- EXHIBIT 44.** Email from John DeWaele, Grafton Upton Railroad Company, to Christopher McGoldrick, Town Planner, dated August 5, 2020, two (2) pages.
- EXHIBIT 45.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated August 20, 2020, in three (3) pages.
- EXHIBIT 46.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated August 24, 2020, 1 page.
- EXHIBIT 47.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated August 25, 2020, 1 page.
- EXHIBIT 48.** Letter from Anthony Sikora, 3 Greany Drive, to the Grafton Planning Board, dated August 31, 2020, 1 page.

- EXHIBIT 49.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated September 10, 2020, in one (1) page.
- EXHIBIT 50.** Letter from James Tetreault, P.E., to the Grafton Planning Board, dated September 14, 2020, in fourteen (14) pages.
- EXHIBIT 51.** Email from Gregory Pueschel, 4 Greany Drive, to the Planning Department, dated September 14, 2020, in two (2) pages.
- EXHIBIT 52.** Email from Richard Sullivan, 5 Greany Drive, to the Planning Department, dated September 14, 2020, in one (1) page.

II. FINDINGS

At their meeting of September 28, 2020, after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Justin Wood, seconded by David Robbins, voted five (5) in favor and zero (0) opposed to make the following Findings:

- F1. That determinations regarding the following Findings are based upon the plans identified in this Decision, as well as the information submitted and presented in association with the Application.
- F2. That determinations regarding the following findings are also predicated upon satisfactory completion of the site improvements shown on the provided Plans and maintenance of the Site in accordance with this Decision, as well as all applicable Federal, State and Local regulations, except where modified by this Decision.
- F3. That the subject site is located within the Residential (R-20) District. The site is partially located within the Water Supply Protection Overlay District.
- F4. That during the public hearing the Board and the Applicant discussed the proposed project. The property is currently undeveloped. The Applicant stated that they are proposing to construct a residential duplex on the subject property. The Site is to have access from Snow Road.
- F5. That Section 1.3.3.2 of the ZBL requires that the procedure for the Site Plan Review, as defined in the ZBL, be incorporated into the procedure for reviewing Special Permits.
- F6. That Section 1.3.3.3 of the ZBL defines the procedure for Site Plan Review, including a description of the plans and materials to be submitted to the Planning Board.
- F7. The Board finds that Section 1.3.3.4 of the ZBL allows an applicant to request waivers from certain requirements of the Site Plan Review procedure. The Applicant has requested waivers as noted in Exhibit 1e.
- F8. With regard to Section 1.5.5(a), the Board finds that based on Exhibits and Findings stated within this Decision, ingress and egress to the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe, is adequate. The Board notes that the Applicant noted that they were amenable to a condition requiring installation of a sight line mirror across the street and completion of the proposed

sight line grading and clearing prior to the issuance of a building permit for structures on the property.

- F9. With regard to Section 1.5.5(b), the Board finds that based on the Exhibits and the Findings stated within this Decision, that off-street parking is adequate. The Board further finds with regard to Section 1.5.5(b) that the economic, noise, glare, or odor effects of the special permit on adjoining properties and properties generally in the district are satisfactory. The Board notes that the Applicant expanded the off-street parking at the recommendation of the Peer Review Engineer.
- F10. With regard to Section 1.5.5(c), the Board finds that based on the Exhibits and the Findings stated within this Decision, that refuse collection or disposal and service areas are satisfactory.
- F11. With regard to Section 1.5.5(d), the Board does not find that based on the Exhibits and the Findings stated within this Decision, screening and buffering with reference to type, dimensions and character are adequate. The Board notes that the proposed massing of the structure, height and elevations relative to surrounding property and types of proposed vegetation do not adequately screen the proposed structure from surrounding property. They found that a single family home of similar mass to the proposed duplex is unlikely to be a feasible project. They note the proposed duplex is twice the living space of abutting structures and the scale of the existing neighborhood does not support a duplex of this size, citing significant public opposition. If proposed, a less massive two-family use may be amenable.
- F12. With regard to Section 1.5.5(e), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, signs and exterior lighting with reference to glare, traffic safety, economic effect is compatible and in harmony with properties in the district.
- F13. With regard to Section 1.5.5(f), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, the required yards and other open space requirements are adequate.
- F14. With regard to Section 1.5.5(g), the Board does not find that based upon on the Exhibits and the Findings stated within this Decision, that the proposed use is generally compatible with adjacent properties and other properties in the Medium Density Residential (R-20) zone. The Board noted opposition is specifically to the scale of the proposed use, being twice the living space of abutting residential structures.
- F15. With regard to Section 1.5.5(h), the Board finds that based upon on the Exhibits and the Findings stated within this Decision and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, the proposed facility will not have any significant adverse impact on any public or private water supply.
- F16. With regard to Section 1.5.5(i), the Board finds that the site is located within the Water Supply Protection Overlay District. The Board further finds that, based upon on the Exhibits and the Findings stated within this Decision, and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, there will not be any significant adverse impact upon municipal water supplies. The proposed use is permitted in the underlying district, so no additional approval under the bylaw is required, except for performance standards which will be reviewed through Conservation and review of the Stormwater bylaw.

- F17. With regard to Section 1.5.5(j), the Board finds that important historic, cultural and scenic landscapes are protected.
- F18. That during the public hearing the Board discussed the signed petition and correspondence from residents opposed to the proposal. The Board noted that although the signed petition was not procedurally binding, it reflected the opinions of a number of nearby residents. The Board took the comments and petition under advisement.
- F19. That during the public hearing the Board and the Applicant discussed sight lines. A sight line plan was submitted by the Applicant and reviewed by the Board and Peer Review Engineer (see EXHIBIT 39). The Applicant noted that they were amenable to a condition requiring installation of a sight line mirror across the street and completion of the proposed sight line grading and clearing prior to the issuance of a building permit for structures on the property.

III. WAIVERS

- W1. At their meeting of September 28, 2020, after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by David Robbins, seconded by Justin Wood, voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for waivers from the following requirements of **Section 1.3.3.3 (d) Site Plan Requirements** of the ZBL with regard to preparing site plans, for the reasons stated within the Exhibits and Findings of this Decision:
- (16.) Parking calculations
 - (19.) Parking and loading spaces
 - (20.) Service areas and all facilities for screening
 - (21.) Landscaping
 - (22.) Lighting
 - (23.) Proposed signs
- W2. At their meeting of September 28, 2020, after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by David Robbins, seconded by Justin Wood, voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for waivers from the requirements of **Section 1.3.3.3 (f) Earthwork Calculations** of the ZBL, for the reasons stated within the Exhibits and Findings of this Decision.
- W3. At their meeting of September 28, 2020, after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by David Robbins, seconded by Justin Wood, voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for waivers from the requirements of **Section 8.2 Traffic Study** of the ZBL, for the reasons stated within the Exhibits and Findings of this Decision.

IV. DECISION

At their meeting of September 28, 2020, after due consideration of the EXHIBITS submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Justin Wood, seconded by Prabhu Venkataraman, voted five (5) in favor and zero (0) opposed to **DENY** the Application for Special Permit and Site Plan Approval with the following conditions:

A. Standard Conditions

- C1.) This Special Permit and Site Plan Approval application specifically authorizes the construction of a duplex on the subject property as described within the EXHIBITS and FINDINGS of this Decision.
- C2.) The work authorized by this Special Permit and Site Plan Approval shall be solely for the purposes noted within Condition #1 of this Decision. Changes to plan presented in this Application may be made only upon authorization from the Planning Board. Such authorization shall only be granted provided the Board finds that any change requested by the Applicant is not substantially different than the plan presented within the EXHIBITS of this Decision, and is consistent with the intent and purpose of this Decision. Requests for such change(s) shall be submitted in writing to the Planning Board.
- C3.) Construction of the improvements shown on the Plans approved as part of this Decision is subject to approval by the Grafton Conservation Commission. If such Order of Conditions and/or permits require substantial modifications to any of the plans approved by the Planning Board, the Board may, upon its determination, require a modification of this Decision if it finds that the proposed changes are substantial in nature and of public concern, and substantially alter the plans and information used in making this Decision.
- C4.) Signage for, and associated with, the use authorized by this Decision shall be installed in accordance with, and conform to, the Town of Grafton Zoning By-law. This Decision shall not be construed as approving or authorizing any such signage.
- C5.) In accordance with Section 1.5.8 of the ZBL, this Special Permit and Site Plan Approval shall lapse within one (1) year from the date of the expiration of the appeal period if substantial use, or construction, has not been commenced except in accordance with the law. Any request for an extension of said period of validity shall be considered a Modification of this Special Permit and Site Plan Approval, and such request shall be filed and reviewed in accordance with the procedure specified in Section 1.5 of the ZBL.
- C6.) This Special Permit and Site Plan Approval shall not take effect until the Decision has been recorded at the Worcester District Registry of Deeds (WDRD) and provided the Planning Board and the Building Department with a copy of such recording, including the WDRD Book and Page Number and/or Instrument Number.
- C7.) By recording this Special Permit and Site Plan Approval Decision in the Worcester District Registry of Deeds, the Applicant agrees to and accepts the conditions set forth in this Special Permit and Site Plan Approval Decision.
- C8.) The Planning Board reserves the right, pursuant to Section 1.5.1.1 of the Zoning By-Law, to utilize the services of a professional engineer in reviewing any materials required to be submitted as conditions of this Decision, and conducting any inspections or other work associated with the construction of the development. In accordance with the applicable sections of the ZBL, any fees or expenses associated with such reviews and inspections shall be the responsibility of the Applicant. Such inspections or reviews will not be conducted if a zero or negative balance exists in any account established by the Planning Board for the purposes stated in this Condition.

- C9.) The Planning Board reserves the right to require the submission of an “as built” plan prepared by a professional engineer if it is determined upon inspection (by either the Board or its agent), and prior to the issuance of an occupancy permit, that the project was not constructed as shown on the approved plans.
- C10.) Any inability, failure, or refusal by the Applicant to comply with the requirements of this Special Permit and Site Plan Approval, when notified of failure of compliance, shall be grounds for the immediate denial of building, construction or occupancy permits with respect to this project.

B. Conditions to be Met Prior to the Start of Construction

- C11.) Unless modified by this Decision, the Site shall be developed, constructed and maintained in accordance with all applicable Federal, State and Local regulations, and as shown on the than the plan presented within the EXHIBITS of this Decision. All required permits and approvals shall be secured by the Applicant at the appropriate stage of construction and copies of all pertinent documents regarding said permits and approvals shall be filed with the Planning Board in a timely manner.
- C12.) Prior to commencement of work, a pre-construction meeting shall occur with representatives from the Applicant and appropriate Town Departments/ Board's. The Applicant shall contact the Planning Department to arrange the pre-construction meeting.
- C13.) Prior to the start of any construction activity on the Site, an initial inspection of erosion control /site stabilization measures shall be performed by agent(s) of both the Planning Board and Conservation Commission in the presence of a representative of the Applicant/developer, and notice of such inspection forwarded to both Boards. No construction activity shall occur on the Site until the Applicant/developer receives written authorization from both the Planning Board and Conservation Commission regarding the adequacy of the initial erosion control and site stabilization measures. The Planning Board reserves the right to require additional erosion control/site stabilization measures at any time during the construction process should the Planning Board, Conservation Commission, or their agent(s) deem such measures necessary. The Applicant/developer shall be notified in writing of the necessity for such additional measures, and shall complete all such requirements within ten (10) days of receiving said notice, or other time as may be agreed upon by both the Planning Board and Conservation Commission.
- C14.) Prior to the start of any construction activity on the Site, the Applicant shall install a traffic mirror to improve sight line and traffic visibility, in coordination with the Planning Department and Department of Public Works, in accordance with Finding F7.
- C15.) Prior to the start of any construction activity on the Site, the Applicant shall complete grading and vegetation clearing work as identified in Finding F19 of this Decision and Exhibit 39. Once completed, the grading and vegetation clearing work shall be reviewed and inspected by an agent(s) of the Planning Department and the Town's Peer Review Engineer, in accordance with Condition 9 of this Decision. Following inspection, the Planning Department shall issue one of the following:
 - a. A formal written letter determining the sight lines to be sufficient in accordance with Exhibit 39 and authorizing the remaining work to proceed.

- b. A recommendation to the Applicant and Board that additional modifications/site work be conducted via Site Plan Approval modification, in accordance with Condition 2 of this Decision in order to meet the proposed sight distances.

C. Conditions to be Met During Construction

- C16.) Hours of construction and site work shall only occur Monday through Saturday between the hours of 7:00 a.m. and 5:00 p.m. There shall be no construction activity on Sundays or state and federal holidays.
- C17.) All construction vehicles and vehicles of all workers are to be parked on site and shall not impede traffic along Snow Road or the Grafton Upton Railroad tracks at any time.
- C18.) All site construction, development and improvements shall be inspected at the appropriate stage(s) of construction by the Planning Board or its agent upon request made by the Applicant to the Planning Board or its agent, in accordance with any policies for such requests.
- C19.) All grading and construction shall be performed in accordance with the approved Plans, as well as all applicable Federal, State and Local regulations, and shall be accomplished so as not to discharge any pollutants or siltation into waterways or resource areas during construction, and after completion, from the site and its associated improvements.
- C20.) During clearing operations, all efforts will be taken to retain trees within the development. Trees along limits of work and adjacent to the roadway shall be examined during site inspections for being preserved where grading changes are minimal.
- C21.) Upon commencing any construction activity on the Site, and in accordance with the National Pollutant Discharge Elimination System (NPDES) Phase II requirements, a Stormwater Pollution Prevention Plan shall be maintained at all times on the Site by the Applicant/developer. A copy of this document shall be forwarded to the Planning Board, Conservation Commission and Department of Public Works, prior to commencing any construction activity.

D. Conditions to be Met After Construction

- C22.) All stormwater management facilities and associated structures, including pipe, loaming, and seeding, shall be completed, and stormwater runoff suitably controlled, to the satisfaction of the Planning Board prior to the issuance of any Occupancy Permits for this development.

V. RECORD OF VOTE

<u>Robert Hassinger, Chairman</u>	<u>AYE</u>	<u>Linda Hassinger, Member</u>	<u>AYE</u>
<u>David Robbins, Vice Chairman</u>	<u>AYE</u>	<u>Prabhu Venkataraman, Member</u>	<u>AYE</u>
<u>Justin Wood, Clerk</u>	<u>AYE</u>		

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD



Christopher J. McGoldrick, Town Planner



Date

- cc: Applicant / Owner
- Building Inspector
 - Assessors
 - Conservation Commission

To Whom It May Concern: This is to certify and verify that the twenty (20) days have elapsed since this decision was filed in the Town Clerk's office and that no such appeals have been filed in the reference to the same, or that, if such appeal has been filed, it has been dismissed or denied.

Kandy Lavalley, Town Clerk

Date

